

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

DON GIBSON, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 4:23-cv-00788-SRB
	)	
NATIONAL ASSOCIATION OF	)	
REALTORS, et al.,	)	
	)	
Defendants.	)	

**ORDER**

No later than 21 days after the settlement checks become stale (or, if no checks are issued, all funds have been paid to class members, cy pres beneficiaries, and others pursuant to the settlement agreement), the settling parties<sup>1</sup> shall file a Post-Distribution Accounting Form<sup>2</sup> (and post it on the settlement website), which provides the following information:

- a. Where class members are entitled to monetary relief: the total settlement fund; the total number of class members; the total number of class members to whom notice was sent and not returned as undeliverable; the number and percentage of claim forms submitted; the number and percentage of opt-outs; the number and percentage of objections; the average, median, maximum, and minimum recovery per claimant; the method(s) of notice and the method(s) of payment to class members; the percentage of success for each method of notice and payment (if known); the number and value of checks not cashed; the amounts distributed to each cy pres recipient; the administrative costs; the attorneys'

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<sup>1</sup> This Order applies to settlements which have already been approved by the Court (Docs. #530, #769) as well as future settlements.

<sup>2</sup> A PDF version of the form, which is borrowed from the District Court for Northern District of California, is attached to this Order. Counsel may access an editable version of the form at <https://cand.uscourts.gov/forms/civil-forms/>

fees and costs; the attorneys' fees in terms of percentage of the settlement fund; plaintiffs' counsel's updated lodestar total; and the lodestar multiplier.

- b. Where class members are entitled to non-monetary relief, such as discount coupons, debit cards, or similar instruments: the number of class members availing themselves of such relief; and the aggregate value redeemed by the class members and/or by any assignees or transferees of the class members' interests.
- c. Where injunctive and/or other non-monetary relief has been obtained: an explanation of the benefit conferred on the class.

Parties shall file the form under Civil Events > Other Filings > Other Documents > Status Report. Parties shall title the filing "Post-Distribution Accounting."

The Court may hold a hearing following submission of the parties' Post-Distribution Accounting.

**IT IS SO ORDERED.**

/s/ Stephen R. Bough  
STEPHEN R. BOUGH, JUDGE  
UNITED STATES DISTRICT COURT

Dated: July 9, 2025

# UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

## Post-Distribution Accounting Form

For guidance and instruction, please see

<https://www.cand.uscourts.gov/forms/procedural-guidance-for-class-action-settlements/>

Case Number (YY-xx-#####)	
Case Name	
Attorney Name	
Nature of Action	
Attorney Email	
Party Represented	
This is:	An interim post-distribution accounting. Not all settlement funds have been distributed. – A final post-distribution accounting. All settlement funds have been distributed.

1. Total settlement fund	\$		
2. Number of class members	#		
3. Number of class members to whom notice was sent and not returned as undeliverable	#		
4. Number of claim forms submitted	#	N/A	
5. Percentage of claim forms submitted [=Q4/Q3]	%	N/A	
6. Number of opt-outs	#		
7. Percentage of opt-outs [=Q6/Q3]	%		
8. Number of objections	#		
9. Percentage of objections [=Q8/Q3]	%		
10. Average recovery per claimant	\$		
11. Median recovery per claimant	\$		
12. Maximum recovery per claimant	\$		

13. Minimum recovery per claimant					\$			
14. Methods of notice to class members [1 or more], and percentage of success by method if known. Leave percentage blank if not known.								
		Mail			Email			Text
		Advertisement			Website			Other
15. Methods of payment to class members [1 or more], and percentage of success by method if known. Leave percentage blank if not known.								
		Direct Deposit			Gift Card			Paper Check
		Wire			Payment App			Other
16. Number of checks not cashed					#			
17. Total value of checks not cashed					\$			
18. Amount of settlement funds claimed by class member					\$		N/A	
19. Amount of settlement funds distributed to class members					\$			
20. Amounts distributed to each cy pres recipient			Name				Amount	
		1.					\$	
		2.					\$	
		3.					\$	
		4.					\$	
		5.					\$	
		6.					\$	
		7.					\$	
		8.					\$	
		9.					\$	
		10.					\$	
21. Administrative costs					\$			
22. Attorneys' fees					\$			
23. Attorneys' costs excluding expert costs					\$			
24. Expert costs					\$			

25. Attorneys' fees in terms of percentage of the settlement fund	%
26. Plaintiffs' counsel's final lodestar total	\$
27. Lodestar multiplier [# x.y]	# x.y
28. Describe any potential fraud issues encountered, the likely causes, and how they were addressed	
29. Number of class members availing themselves of nonmonetary relief	#
30. Aggregate value redeemed	\$

Continued on next page.

31. Where injunctive and or other non-monetary relief has been obtained, discuss the benefit conferred on the class.

32. Other notes and issues required to be addressed by judge's standing order.

End of form.